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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/575,859

02/28/2007

Eui-Seog Seig Jeong

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EXAMINER

VAN, QUANG T

ART UNIT

PAPER NUMBER

3742

MAIL DATE

DELIVERY MODE

05/12/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	Application No. 10/575,859	Applicant(s) JEONG, EUI-SEOG SEIG	
	Examiner Quang T. Van	Art Unit 3742	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 26 April 2011 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
 b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below);
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. ☐ Applicant's reply has overcome the following rejection(s): _____.
 6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
 The status of the claim(s) is (or will be) as follows:
 Claim(s) allowed: _____.
 Claim(s) objected to: _____.
 Claim(s) rejected: _____.
 Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
 12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____.
 13. ☐ Other: _____.

/Quang T Van/
Primary Examiner, Art Unit 3742

Continuation of 11. does NOT place the application in condition for allowance because: Applicant argues Gilliom'139, Gilliom'229 and Jeong do not teach or suggest two types of holes, namely a cavity intake hole and a panel intake hole. This is not persuasive. Gilliom'139 discloses oven comprising a cavity (Figure 2, col. 3, lines 43-45) in which food is cooked; and a base cover having: a cover body (68) installed under the cavity and contacting a mounting surface, a stepped portion (67) bent upward from an end of the cover body for supporting the cavity, at least one air intake hole (66) defined in the stepped portion (67) for through which an outside air (Figure 2) passes, and a reinforcement rib (R, Figure 2 below) which protrudes from a periphery of the air intake hole (66), wherein the reinforcement rib (R) protrudes in forward direction or backward direction relative to the periphery of the air intake hole (66), wherein the air intake hole (66) is a cavity intake hole located under the cavity, and wherein the oven further includes at least one panel intake hole (33, Figure 2 below) at a location adjacent the cavity intake hole (66), wherein the cavity intake hole (66) and the panel hole (33) are different. However, Gilliom'139 does not disclose at least one panel intake hole located in the stepped portion and the oven being a microwave oven. Gilliom'229 discloses at least one panel intake hole located in the stepped portion (P, Figure 3 below). Jeong discloses an oven being a microwave oven (abstract). It would have been obvious to one ordinary skill in the art at the time the invention was made to utilize in Gilliom'139 at least one panel intake hole located in the stepped portion as taught by Gilliom'229 in order to provide different flow rate into the panel, and an oven being a microwave oven as taught by Jeong in order to cook the food with microwave energy. Further, applicant seems argue more than what is in the claim, because nowhere in the claim mention that the cavity intake hole is for supplying air into the cavity and the panel intake hole is for supplying air into the electronic component chamber. Furthermore, Gilliom'229 is only cited for the at least one panel intake hole located in the stepped portion, and Jeong is only cited for the oven being a microwave oven, and other limitations already disclosed by Gilliom'139.